REMARKS

Claims 1-52, 57-68, and 73-82 are presented for further examination. Claims 1-8, 10, 12, 17, 19, 22-24, 27, 30, 32, 34, 37, 39, 41, 44-46, 51-52, 58, 60-62, 67-68, 74, 76, 79, and 84 have been amended.

In the final Office Action mailed December 3, 2003, the Examiner requested a descriptive, brief, and technically accurate title. Applicant has amended the title to conform to 37 C.F.R. § 1.72.

The Examiner rejected claims 1-22, 78-79, and 45-60 under 35 U.S.C. § 101 because the claimed invention was directed to non-statutory subject matter inasmuch as the body of the claims did not refer to any device or hardware or the computer system used in the preamble. Applicant has amended the independent claims encompassed by the rejection to include the necessary recitation of structure. Accordingly, applicant requests that this rejection be withdrawn.

Claims 1-52, 57-68, and 73-82 were rejected under 35 U.S.C. § 102(e) as anticipated by Barnett et al., U.S. Patent No. 6,321,208 (of record). The Examiner's remarks accompanying this rejection substantially mirror the remarks of the previous Office Action with the exception of the Examiner's comments regarding applicant's arguments. These comments state that "a great deal of the argued limitations is not present in the current claimed invention," and that the Examiner is relying on inherency from the teachings of Barnett et al. to reject the claims.

Applicant respectfully disagrees and requests reconsideration and further examination of the claims.

Applicant adopts and reasserts herein his arguments set forth in the Amendment filed August 27, 2003. In addition, and in response to the Examiner's assertion that Barnett et al. inherently teaches the claimed invention, applicant respectfully submits that the Examiner's inherency argument is based on an unfounded assumption that Barnett et al. teaches providing access to vendors and manufacturers for obtaining rebate information in electronic form. Barnett et al. specifically teaches that the online service provider 2 performs all of the functions, whether on a dedicated server used by the provider or at a site on the Internet (see Barnett et al., 13:50-53; and 13:64-14:6). In addition, Barnett et al. is not directed in any way to the redemption process and only mentions a traditional, manual redemption process (see Barnett et al. Figure 1 and 7:41-45)

In contrast, the disclosed and claimed embodiments of the invention are directed to a system that "relieves the owner/operator of the web server software 202 of much labor and constitutes one of the benefits of various embodiments of the present invention described herein, in that it essentially relieves the web server owner/operator of any concerns related to the internal inventories of various manufacturers." (*See* specification page 16, line 32-page 17, line 5.)

Thus, it is clear from the teachings of Barnett et al. that the service provider maintains strict control over access to the coupon redemption data. Nowhere does Barnett et al. teach, motivate, or suggest that a vendor or manufacturer have direct access to the coupon data management routines or the underlying data in electronic form in order to retrieve in near real-time data regarding the redemption of rebates.

Independent claims 1, 23, 45, and 61 all clearly recite the dispensing *in near real-time* rebate redemption information to a rebate list vendor in response to receiving an electronic message from a vendor. As previously argued by applicant in the Amendment filed August 27, 2003, nowhere does Barnett et al. teach or suggest any mechanism for a <u>vendor</u> to electronically obtain information (*see* Amendment, page 23, filed August 27, 2003). These limitations are supported in the specification, page 26, lines 3-13 and Figures 6-8, wherein a redeemed rebate is scanned in at a retailer's facility and then tracked *in near-immediate time* by a retailer's computer system communicating with a computer system that maintains a multi-vendor rebate list 204 (in one embodiment a central computer system 150) to update the rebate list 204 to indicate that a coupon was redeemed and to record a corresponding rebate redemption transaction (*see also* specification, page 26, lines 20-32). A response message is also sent to indicate that a corresponding volume-of-usage counter has been incremented, as recited in claim 9.

In contrast to the present invention, there is nothing inherent in Barnett et al. about providing near real-time rebate redemption information. Rather, Barnett alludes to manual redemption processing (traditional redemption processing), which is anything but near real-time dispensing of information pertaining to rebate redemption.

This is specifically highlighted in the claims. For example, claim 1 is directed to a method in a computer system for tracking and processing redemption of rebates from a plurality of vendors, comprising: maintaining *in electronic form in near real-time* a multi-vendor rebate list with rebate data for rebates associated with each of the vendors; receiving *in electronic form* a

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multi-vendor rebate list related message from a vendor; and in response to the received message, dispensing to the vendor *in near real-time rebate redemption information* related to a portion of the multi-vendor rebate list associated with the vendor. Nowhere does Barnett et al. teach, disclose, or suggest maintaining in electronic form *in near real-time* a multi-vendor rebate list with rebate data, receiving *in electronic form* a multi-vendor rebate list related message from a vendor, and dispensing *in near real-time* rebate redemption information in response to the message. In view of the foregoing, applicant submits that claim 1 and all claims depending therefrom are clearly allowable over Barnett et al.

Independent claims 23, 45, and 61 are similarly directed to a computer system, a method in a computer system, and a computer implement system for tracking and redemption of rebates from a plurality of vendors, respectively that maintains a list and responds to vendor messages *in near real-time* to dispense information related to rebate data maintained on the rebate list. Applicant respectfully submits that these independent claims and all claims depending therefrom are also allowable for the reasons discussed above with respect to claim 1.
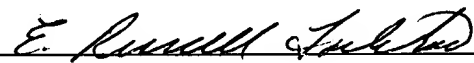
In the event the Examiner disagrees, applicant respectfully requests entry of the foregoing amendments in order to place the claims in condition for appeal.

In the event the Examiner finds minor informalities that can be resolved by telephone conference, the Examiner is urged to contact applicant's undersigned representative by telephone at (206) 622-4900 in order to expeditiously resolve prosecution of this application. Consequently, early and favorable action allowing these claims and passing this case to issuance is respectfully solicited.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,

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